

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

UNITED STATES OF AMERICA

v.

Case number: 2:21-cr-00127

RAYMOND DUGAN

**DEFENDANT’S MOTION TO CONTINUE HEARING
AND DEFENDANT’S REPLY TO GOVERNMENT’S RESTITUTION MEMORANDUM**

Now comes the defendant, Raymond Dugan, by counsel, David Schles, and moves this Court to continue the hearing on restitution currently scheduled for January 12, 2023, and also to continue the date for filing of defendant’s response to the government’s memorandum on restitution. (docket #133)

1. Mr. Dugan was sentenced on October 27, 2022. At sentencing, the court granted defendant’s motion to defer determination of the restitution amount in this matter to allow for the government to provide information and evidence in support of its claims for restitution on behalf of certain victims. This court ordered the government to file support for its claims by December 22, 2022, and for the defendant to reply by January 5, 2023. The hearing on this matter was scheduled for January 12, 2023

2. The government filed its memorandum on restitution on December 22, 2022 (docket #133).

3. At the time the government filed its memorandum, Mr. Dugan was listed by the Bureau of Prisons as “in-transit” and counsel was unable to speak with or correspond with Mr. Dugan. Mr. Dugan is now listed as being incarcerated at Elkton FCI, but counsel has not yet

communicated with Mr. Dugan concerning the government's submissions in support of restitution.

4. Additionally, counsel for the government has today informed counsel for the defendant that it has additional information to provide defendant regarding restitution on behalf of a previously unidentified victim. Counsel for the defendant has not received this information as of this filing.

5. Moreover, undersigned counsel's brother is undergoing surgery for colo-rectal cancer on January 11, 2023, and counsel needs to be in Pittsburgh, Pennsylvania for at least January 10 through January 14, 2023, to be with and help care for his brother who is single and childless.

6. Counsel for the defendant has conferred with counsel for the government, Assistant United States Attorney Jessica Nathan, and is authorized to inform the Court that the government does not object to the requested continuance.

Wherefore, in light of the foregoing, the defendant respectfully requests that this Court continue the trial and associated pretrial dates. Defendant respectfully requests that the hearing, and the deadline for filing defendant's reply to the government's memorandum on restitution be continued for approximately thirty (30) days.

Respectfully Submitted,
Raymond Dugan
By counsel,

s/ David Schles
David Schles (WV Bar #6375)
815 Quarrier Street, Suite 306
Charleston, WV 25301
(304) 344-1559
Schleslaw@gmail.com

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CERTIFICATE OF SERVICE

I, David Schles, counsel for defendant, Raymond Dugan do hereby certify that on this 3rd day of January 2023, the foregoing DEFENDANT'S MOTION TO CONTINUE HEARING AND DEFENDANT'S REPLY TO GOVERNMENT'S RESTITUTION MEMORANDUM was served upon the following by CM/EMF electronic filing:

Jessica Nathan
Julie M. White
Assistant United States Attorneys
P. O. Box 1713
Charleston, WV 25326-1713

s/ David Schles
David Schles, WV Bar #6375
815 Quarrier Street
Suite 306
Charleston, WV 25301
(304) 344-1559
Schleslaw@gmail.com